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6 Attorneys for Defendants
FLAGSTAR BANK, FSB

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9

10 CHRISTOPHER BOGOSIAN AND SARAH
11 BOGOSIAN,

12 Plaintiffs,

13 v.

14 CITIMORTGAGE, INC. as Mortgage
Servicer; CR TITLE SERVICES, INC. as
15 Foreclosure "Trustee"; SHELLEY BOEK;
PAM JANUARY; MORTGAGE
16 ELECTRONIC REGISTRATION SYSTEMS,
INC. as "Nominee" under the Deed of Trust;
17 FEDERAL NATIONAL MORTGAGE
ASSOCIATION; FLAGSTAR BANK, FSB as
18 "Lender" under the Promissory Note and Deed
of Trust; JOAN H. ANDERSON as "Trustee"
19 under the Deed of Trust; FIRST AMERICAN
TITLE INSURANCE CO.' and DOES 1
20 THROUGH 100 INCLUSIVE,

21 Defendants.
22
23

Case No. CV11-02043 EJD

**JOINT STIPULATION AND
[PROPOSED] ORDER EXTENDING
TIME FOR FLAGSTAR BANK, FSB, TO
FILE RESPONSIVE PLEADING**

Date: May 13, 2011

Judge: Magistrate Howard R. Lloyd
Date Removed: April 26, 2011
Trial Date: None Set

24 The parties, by and through their respective undersigned counsel, stipulate as follows:

25 WHEREAS, on April 25, 2011, Defendant, FLAGSTAR BANK, FSB ("Flagstar") was
26 served with Plaintiffs' California state court Complaint and Plaintiffs' pleadings in support of its
27 *ex parte* request for a Temporary Restraining Order and its further request for a Preliminary
28 Injunction;

1 WHEREAS, under California state law, Flagstar's response or Answer was therefore due
2 to be filed on May 25, 2011;

3 WHEREAS, co-defendants Citimortgage, Inc., and CR Title Services, Inc., filed a Notice
4 of Removal on April 26, 2011, seeking to remove the above-captioned matter from Santa Clara
5 County Superior Court to this Court;

6 WHEREAS, Flagstar was neither formally joined in the removal of this matter, nor
7 served with written notice of the removal;

8 WHEREAS, Flagstar has yet to be formally served with the removal papers regarding
9 this matter;

10 WHEREAS, Plaintiffs and Flagstar have agreed that Flagstar's response deadline can be
11 extended by 30 days beyond the original California state court deadline to June 24, 2011;

12 WHEREAS, Flagstar currently maintains no beneficial interest in the note referenced in
13 Plaintiffs' state court Complaint;

14 WHEREAS, Flagstar currently maintains no beneficial interest in the deed of trust
15 referenced in Plaintiffs' state court Complaint;

16 WHEREAS, Flagstar is not participating in, and will not receive any benefit from, any
17 foreclosure proceeding regarding the Plaintiffs' property located at 515 N. 18th Street, San Jose,
18 CA 95112;

19 WHEREAS, good cause for this extension exists because the parties need additional time
20 to sort out certain factual allegations against Flagstar in the Complaint;

21 WHEREAS, the parties agree that this extension does not waive or diminish the rights of
22 Flagstar to raise any argument in response to the complaint;

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24 ///

1 THE PARTIES JOINTLY STIPULATE AND REQUEST that the time for Flagstar to
2 answer or otherwise respond to Plaintiffs' Complaint be extended from May 25, 2011 to and
3 including June 24, 2011.

4 Respectfully submitted,
5 Dated: May 13, 2011 KEKER & VAN NEST LLP

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8 By: /s/ Chris J. Young
9 CHRIS J. YOUNG
Attorneys for Defendant
FLAGSTAR BANK, FSB

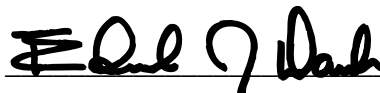
10 SO STIPULATED,

11 Dated: May 13, 2011 LAW OFFICE OF MATTHEW BOGOSIAN

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13
14 By: /s/ Matthew Bogosian
15 MATTHEW BOGOSIAN
16 Attorneys for Plaintiffs
CHRISTOPHER BOGOSIAN and SARAH
17 BOGOSIAN
18 Filer's Attestation: Pursuant to General Order NO. 45,
19 Section X.B. regarding non-filing signatories, Chris J.
20 Young hereby attests that concurrence in the filing of
this joint stipulation has been obtained by Matthew
Bogosian.

21 GOOD CAUSE APPEARING, IT IS SO ORDERED. Defendant Flagstar Bank's time to
22 answer or otherwise respond to Plaintiffs' Complaint is extended from May 25, 2011 to and
23 including June 24, 2011.

24 Dated: May 24,, 2011



25 HON. EDWARD J. DAVILA
26 UNITED STATES DISTRICT JUDGE
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